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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/981,644

10/16/2001

Jason Lango

5693P113

7020

48102 7590 09/26/2007
NETWORK APPLIANCE/BLAKELY
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER

AILES, BENJAMIN A

ART UNIT

PAPER NUMBER

2142

MAIL DATE

DELIVERY MODE

09/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	09/981,644	LANGO ET AL.	
	Examiner	Art Unit	
	Benjamin A. Ailes	2142	

All participants (applicant, applicant's representative, PTO personnel):

(1) Benjamin A. Ailes.

(3) Jordan Becker (Reg: 39,602).

(2) Andrew Caldwell (SPE).

(4) _____.

Date of Interview: 18 September 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 64 and 77.

Identification of prior art discussed: Pinckney, III et al. (US 2002/0169926 A1).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

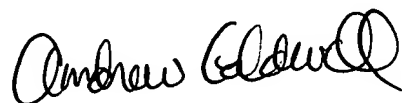
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

BAA

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed matters as outlined in the Applicant Initiated Interview Request Form (see attached). Applicant argued with respect to the prior art that Pinckney does not teach the limitations of claim 64. Clarification was made with respect to what is meant by a "protocol independent caching subsystem" by Mr. Becker and how the storage system of Pinckney differs. Mr. Becker also pointed out that the examiner failed to consider claim 77 in its entirety in the last office action. Mr. Ailes and Mr. Caldwell advised Mr. Becker to file his specific arguments in writing in the response to the last office action. No agreement with respect the claims was reached.

PTOL-413A (07-07)
Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/981,644 First Named Applicant: Jason Lango
Examiner: Benjamin Ailes Art Unit: 2142 Status of Application: Pending

Tentative Participants:

(1) Jordan Becker (2) _____

(3) _____ (4) _____

Proposed Date of Interview: TBD Proposed Time: TBD (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>102(e)</u>	<u>64</u>	<u>Pinckney</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>102(e)</u>	<u>77</u>	<u>Pinckney</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

Discuss Applicant's response to Examiner's remarks on lines 3-8 of page 12
of the Office Action. Also, Office Action does not address Applicant's
arguments regarding claim 77, as presented on page 20 of Applicant's last response.

An interview was conducted on the above-identified application on _____.
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Jordan M. Becker

Typed/Printed Name of Applicant or Representative

39,602

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.